IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5022 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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NIRUBEN SOMABHAI DAUGHTER OF SOMABHAI CHANDUBHAI

Versus

DEPUTY CONSERVATOR OF FORESTS

Appearance:

1. Special Civil Application No. 5022 of 2002

MR MUKESH A PATEL for Petitioner No. 1

MR PR ABICHANDANI, A.G.P. for Respondent No. 1-3

CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 18/07/2002

ORAL JUDGEMENT

Rule. Shri P.R.Abichandani, learned A.P.P. waives service of Rule.

2. According to the petitioner he is in possession of the land in question since long. Having regard to the facts and circumstances of the case and the orders passed by this Court (Coram : A.L.Dave, J.) in Special Civil

Application No.2227 of 2001 on 9.4.2001 and in Special Civil Application No.8486 of 1999 passed by this Court (Coram : M.S.Shah, J.) on 14.8.2001, the petitioner is directed to make appropriate representation to the concerned Collector for the purpose of granting benefit in accordance with the policy of the State Government. As and when such representation is made the same shall be decided in accordance with law, after extending the opportunity of hearing to the petitioner. He shall make such representation within 4 weeks from today and the concerned Authority shall decided the same strictly in accordance with law within 2 months from the receipt thereof. Till such decision is taken and communicated to the petitioner, status-quo qua possession shall be maintained.

With these directions and observation this petition is disposed of. Rule discharged. No order as to costs.

Direct service permitted.

Date : July 18, 2002 (B.J.Shethna, J.)

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